

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**William L. Lane,**

**Plaintiff,**

**v.**

**Case No. 2:10-cv-389**

**Wexford Health Sources,**

**Judge Michael H. Watson**

**(Contreator), et al.,**

**Defendants.**

**OPINION AND ORDER**

Plaintiff filed this prisoner civil rights action under 42 U.S.C. § 1983 on April 29, 2010. The Court issued an opinion and order, as well as final judgment, dismissing this action on August 12, 2011. ECF Nos. 68 & 69. Plaintiff appealed. The Sixth Circuit Court of Appeals affirmed the judgment of this Court on January 8, 2013 and issued a mandate to that effect on January 31, 2013. ECF Nos. 72 & 73.

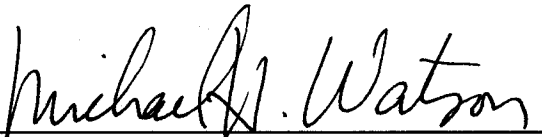
Since the Sixth Circuit issued its mandate, Plaintiff has filed three motions to dismiss this action. ECF Nos. 74, 76, and 83. He also filed a petition for a writ of mandamus to compel the Court to rule on his motions to dismiss. ECF No. 83. On March 27, 2014, the Magistrate Judge issued a report and recommendation ("R&R") recommending that the Court deny Plaintiff's motions to dismiss. ECF

No. 81. In his R&R, the Magistrate Judge identified the chief flaw in Plaintiff's motions: final judgment was already entered in this case so there is no legal basis to enter a second order or judgment dismissing Plaintiff's claims. R&R 2, ECF No. 81.

The Magistrate Judge warned the parties of the consequences of failing timely to file objections to the R&R. To date, Plaintiff has not filed any objections and the time to do so has passed. Accordingly, the Court **ADOPTS** the Magistrate Judge's March 27, 2014 R&R and **DENIES** Plaintiff's motions to dismiss. The Court also **DENIES** Plaintiff's petition for a writ of mandamus as moot.

The Clerk shall remove ECF Nos. 74, 76, 78, and 83 from the Civil Justice Reform Act motions report.

**IT IS SO ORDERED.**

  
**MICHAEL H. WATSON, JUDGE**  
**United States District Court**